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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/276,248	03/25/1999	HENRY FOURIE	081862.P123	1857

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EXAMINER

PHAN, TRI H

ART UNIT PAPER NUMBER

2661

DATE MAILED: 04/24/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/276,248

Applicant(s)

FOURIE ET AL.

Examiner

Tri H. Phan

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– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1 and 20-22 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- Regarding Claim 1, it recites the limitations "the phase" in line 3, "the size of the call record" in line 5. There are insufficient antecedent bases for these limitations in the claim 1. Similar problems exist in Claim 21, lines 5, 7 and Claim 22, lines 3, 5.

- Claim 20 recites the limitations "said apparatus" in lines 2-3, "said call's phase transition" in lines 5-6, "the size of the call record" in line 8. There is insufficient antecedent basis for these limitations in the claim 20.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-22 are rejected under 35 U.S.C. 102(b) as being anticipated by **Gupta** (U.S.4,788,719).

- In regard to claims 1 and 22, **Gupta** teaches a method of managing resources in a network controller connecting to a plurality of interfaces (See Abstract and Fig. 1: See Col. 2, Lines 3-46; Col. 3, Lines 22-36) comprises recognizing a transition in the phase of a call transported through the controller (For example see Fig. 1; Col. 2, Line 47 through Col. 3, Line 67; Fig. 2: See Col. 5, Lines 41-47) and modifying the size of the call record of the call in accordance with the type of phase transition recognized (For example see Fig. 1; Col. 3, Line 52 through Col. 4, Line 63; Fig. 2&3: See Col. 4, Line 64 through Col. 5, Line 47. It is inherent that the size of the call record is updated or “modified” from initialization through the transfer call or conference connection program).

- Regarding claim 2, **Gupta** further teaches wherein recognizing includes receiving a call message for the call (For example see Fig. 1; Col. 2, Lines 52-60; Col. 3, Lines 6-36; 52-67; Col. 4, Lines 18-63; Fig. 2: See Col. 5, Lines 41-47. It is inherent that call message is created by the call processor in system control running stored programs when user dials number to call, hits the transfer call button with dialing the extension, establishes conference connection or terminates the call) and processing the call message potentially indicating the phase transition (For example see Fig. 1; 2 and 4; Col. 2, Line 47 through Col. 5, Line 52).

- In regard to claim 3, **Gupta** further teaches wherein the call is a point-to-point call (For example see Fig. 1; Col. 2, Lines 47-60. It is inherent that two-party call is a point-to-point call).

- Regarding claim 4, **Gupta** further teaches wherein the phase is one of idle, establishment, active and release phases (For example see Fig. 1; Col. 2, Lines 47-67; Col. 3, Lines 1-21).

- In regard to claim 5, **Gupta** further teaches wherein modifying includes discarding the call record if the transition is to the idle phase (For example see Fig. 1; Col. 2, Line 47 through Col. 3, Lines 51; Col. 5, Lines 1-9. It is inherent that the call record is only created by the call recording program until the establishment phase is done).

- Regarding claim 6, **Gupta** further teaches wherein modifying includes compressing the call record by removing establishment phase related fields if the transition is from the establishment phase to the active phase (For example see Fig. 1; Col. 3, Line 52 through Col. 4, Line 63; Fig. 2: See Col. 5, Lines 6-40. It is inherent that when a call is transferred to another person, the original call record is established with new respective fields).

- In regard to claim 7, **Gupta** further teaches wherein modifying includes expanding the compressed call record by adding release phase related fields if the transition is from the active phase to the release phase (For example see Fig. 2; Col. 5, Lines 1-47. It is inherent that the ending time field is inserted into the call record by the call recording program).

- Regarding claim 8, **Gupta** further teaches completing the release of the call uses the compressed call record if the transition is from the active phase to the release phase (For example see Fig. 1&2; Col. 3, Line 52 through Col. 5, Line 47).

- In regard to claim 9, **Gupta** further teaches wherein the call is a point-to-multi-point call (For example see Fig. 1; Col. 4, Lines 44-63. It is inherent that the conference connection call is a point-to-multi-point call).

- Regarding claim 10, **Gupta** further teaches wherein the phase is one of idle, establishment, active, add party, drop party and release phases (For example see Fig. 1; Col. 4, Lines 44-63).

- In regard to claim 11, **Gupta** further teaches wherein modifying includes discarding the call record if the transition is to the idle phase (For example see Fig. 1; Col. 2, Line 47 through Col. 3, Lines 51; Col. 4, Lines 44-63; Col. 5, Lines 1-9. It is inherent that the call record for conference connection is only created by the call recording program until the establishment phase is done).

- Regarding claim 12, **Gupta** further teaches wherein modifying includes compressing the call record by removing establishment phase related fields if the transition is from the establishment phase to the active phase (For example see Fig. 1; Col. 3, Line 52 through Col. 4,

Line 63; Fig. 2: See Col. 5, Lines 6-40. It is inherent that when other station, i.e. S1, leaved the conference connection, the original call record is established with new respective fields).

- In regard to claim 13, **Gupta** further teaches wherein modifying includes expanding the compressed call record by adding release phase related fields if the transition is from the active phase to the release phase (For example see Fig. 1 and 2; Col. 4, Line 44 through Col. 5, Line 47. It is inherent that the ending time field is inserted into the call record for the conference connection by the call recording program).

- Regarding claim 14, **Gupta** further teaches completing the release of the call using the compressed call record if the transition is from the active phase to the release phase (For example see Fig. 1&2; Col. 3, Line 52 through Col. 5, Line 47).

- In regard to claim 15, **Gupta** further teaches wherein modifying includes expanding the compressed call record by adding add party phase related fields if the transition is from the active phase to the add party phase (For example see Fig. 1&2; Col. 3, Line 52 through Col. 5, Line 40. It is inherent that the call record is updated with new respective fields when adding new station into the conference connection).

- Regarding claim 16, **Gupta** further teaches wherein modifying includes compressing the expanded call record by removing add party phase related fields if the transition is from the add party phase to the active phase (For example see Fig. 1; Col. 4, Lines 44-63; Fig. 2: See Col.

5, Lines 6-40. It is inherent that the call record is updated new respective fields by the call recording program when adding new station into the conference connection).

- In regard to claim 17, **Gupta** further teaches wherein modifying includes expanding the compressed call record by adding drop party phase related fields if the transition is from the active phase to the drop party phase (For example see Fig. 1&2; Col. 4, Line 44 through Col. 5, Line 40. It is inherent that when other station, i.e. S1, leaved the conference connection, the original call record, i.e. S3, is established with new respective fields).

- Regarding claim 18, **Gupta** further teaches wherein modifying includes compressing the expanded call record by removing drop party phase related fields if the transition is from the drop party phase to the active phase (For example see Fig. 1&2; Col. 4, Line 44 through Col. 5, Line 40. It is inherent that when other stations, i.e. S1 or S2, leaved the conference connection, the original call record, i.e. S3, is updated with new respective fields).

- In regard to claim 19, **Gupta** further teaches wherein the interfaces define physical connections between the node in which the controller resides and other nodes connected the node in which the controller resides and define physical connections between the node in which the controller resides and user terminals belonging to the node in which the controller resides (For example see Fig. 1; Col. 2, Line 3 through Col. 3, Line 51).

- Regarding claim 20, **Gupta** teaches a system including a network switching controller capable of supporting a plurality of interfaces (Fig. 1: See Col. 2, Lines 3-46; Col. 3, Lines 22-36), apparatus comprises a processor (call processor 103) adapted to process call messages received on the interfaces and adapted to recognize the call's phase transition (For example see Fig. 1; Col. 2, Line 47 through Col. 3, Line 67; Fig. 2: See Col. 5, Lines 41-47) and a memory (memory 104) coupled to the processor which modifies the size of the call record of the call as stored in the memory in accordance with the type of phase transition recognized (For example see Fig. 1; Col. 2, Line 36 through Col. 4, Line 63; Fig. 2&3: See Col. 4, Line 64 through Col. 5, Line 47. It is inherent that the size of the call record is updated or "modified" from initialization through the transfer call or conference connection program).

- In regard to claim 21, **Gupta** teaches an article comprising a computer readable medium having instructions (system control 100 and stored programs) which when executed manages resources in a network controller connecting a plurality of interfaces (See Abstract and Fig. 1: See Col. 2, Lines 3-60; Col. 3, Lines 22-36), the instructions when executed causes recognizing a transition in the phase of a call transported through the controller (For example see Fig. 1; Col. 2, Line 47 through Col. 3, Line 67; Fig. 2: See Col. 5, Lines 41-47) and modifying the size of the call record of the call in accordance with the type of phase transition recognized (For example see Fig. 1; Col. 3, Line 52 through Col. 4, Line 63; Fig. 2&3: See Col. 4, Line 64 through Col. 5, Line 47. It is inherent that the size of the call record is updated or "modified" from initialization through the transfer call or conference connection program).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Walter (U.S.5,999,604), **Chau et al.** (U.S.5,764,750) and **Gilman et al.** (U.S.5,757,781) are all cited to show devices and methods for improving management communication architectures based on call record which are considered pertinent to the claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tri H. Phan whose telephone number is (703)305-7444. The examiner can normally be reached on M-F (8:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Douglas W. Olms can be reached on (703)305-4703.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703)872-9314

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703)305-3900.

TP

Tri H. Phan
April 14, 2002


RICKY NGO
PRIMARY EXAMINER